

gentleman from North Carolina [Mr. BALLENGER], for working to resolve this issue in a bipartisan manner.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

H.R. 1225

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "The Court Reporter Fair Labor Amendments of 1995".

#### SEC. 2. LIMITATION ON COMPENSATORY TIME FOR COURT REPORTERS.

Section 7(o) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(o)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

"(6) A public agency may not be considered to be in violation of subsection (a) with respect to an employee who performs court reporting transcript preparation duties if such public agency and such employee have an understanding that the time spent performing such duties outside of normal working hours or regular working days is not considered as hours worked for the purposes of subsection (a)."

#### SEC. 3. EFFECTIVE DATE OF AMENDMENTS.

The amendments made by section 2 shall take effect as if included in the provisions of the Fair Labor Standards Act of 1938 to which such amendments relate, except that such amendments shall not apply to an action—

(1) that was brought in a court involving the application of section 7(a) of such Act to an employee who performed court reporting transcript preparation duties; and

(2) in which a final judgment has been entered on or before the date of enactment of this Act.

#### COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the committee amendment in the nature of a substitute.

The Clerk read as follows:

Committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Court Reporter Fair Labor Amendments of 1995".

#### SEC. 2. LIMITATION ON OVERTIME COMPENSATION FOR COURT REPORTERS.

Section 7(o) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(o)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

"(6) The hours an employee of a public agency performs court reporting transcript preparation duties shall not be considered as hours worked for the purposes of subsection (a) if—

"(A) such employee is paid at a per-page rate which is not less than—

"(i) the maximum rate established by State law or local ordinance for the jurisdiction of such public agency,

"(ii) the maximum rate otherwise established by a judicial or administrative officer and in effect on July 1, 1995, or

"(iii) the rate freely negotiated between the employee and the party requesting the transcript, other than the judge who presided over the proceedings being transcribed, and

"(B) the hours spent performing such duties are outside of the hours such employee performs other work (including hours for which the agency requires the employee's attendance) pursuant to the employment relationship with such public agency.

For purposes of this section, the amount paid such employee in accordance with subparagraph (A) for the performance of court reporting transcript preparation duties, shall not be considered in the calculation of the regular rate at which such employee is employed."

#### SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply after the date of the enactment of this Act and with respect to actions brought in a court after the date of the enactment of this Act.

Mr. FAWELL (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. FAWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on H.R. 1225, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

#### PERMISSION FOR COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO FILE LEGISLATIVE REPORT ON H.R. 1670 AND H.R. 2108

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform and Oversight have until midnight tonight to file the legislative report on H.R. 1670 and H.R. 2108.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute requests.

#### GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on Mr. Keith Jewell, the official photographer of the House, who is resigning today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### TRIBUTE TO KEITH JEWELL

(Mr. DINGELL asked and was given permission to address the House for 1 minute.)

Mr. DINGELL. Mr. Speaker, I rise today to bid a fond farewell to a distinguished public servant and to a man who has served this House with great dignity and diligence over a career that has spanned almost three decades, whose last day with the House of Representatives is today.

He has served admirably as the Director of the House Office of Photograph, a demanding job in an office that logged over 19,000 visits to offices of Members of Congress and to address other functions in the last year alone. He joined Members of this body on countless missions overseas, including a trip to Saudi Arabia during the Gulf war and the 50th anniversary of Normandy last year.

Most of us see Keith Jewell at some point almost every day we are in session. Usually it is as he moves rapidly from one appointment to the next to serve the House, take pictures of Members and our constituents. Once in a while, if you have had time to chat with Keith, the Members will know what a thoroughly decent and hard working man he is and how dedicated he has been to the service of this body as well as the extraordinary leadership which he has given to a competent group of photographers.

Sadly, one of Mr. Jewell's staff is also retiring today, Joseph Avery, after some 35 years of service. He, too, has served this institution with great distinction.

This is why I have reason to pay tribute, well deserved, to these fine gentlemen. Whether it was on the House steps or on an overseas mission, Keith Jewell has been one of the official recorders of the history of this institution.

I wish him great success in the future and happiness as he joins his dear wife, a wonderful woman, Lorren, in a long and, I hope, healthy and happy retirement.